

Message Text

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ACTION SCS-03

INFO OCT-01 EUR-06 ISO-00 L-03 SNM-02 SSO-00 /015 W

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P 231410Z MAY 74

FM AMEMBASSY ANKARA

TO SECSTATE WASHDC PRIORITY 4267

LIMITED OFFICIAL USE ANKARA 4003

E.O. 11652: N/A

TAGS: CASC, TU

SUBJ: HAYES AND ANTAKYA THREE CASES

REF: STATE 107093

1. COMPLETE ALACAKAPTAN STUDY POUCHED DEPARTMENT TODAY.
AS INDICATED ANKARA 0597, NO SPECIFIC REQUEST FOR COVERAGE
LAW 647 WAS MADE WHEN STUDY COMMISSIONED; THERE IS NO
TREATMENT OF SUBJECT IN IT. (LAW 647 WAS OF CONSIDERABLY
LESS IMMEDIATE INTEREST LAST JANUARY THAN IT HAS SINCE BECOME.)

2. ALACAKAPTAN'S VIEWS ON LAW 647 ARE, HOWEVER, SET FORTH IN
SOME DETAIL IN ANKARA 3227 AND 3687. IF DEPARTMENT HAS
ADDITIONAL SPECIFIC QUESTIONS, PLEASE FORMULATE THEM AND WE
WILL SEEK RESPONSES AFTER ALACAKAPTAN RETURNS TO ANKARA
TOMORROW.

3. AT MOMENT, ONLY KNOWN CASE IN WHICH LAW 647 INVOKED,
AS INDICATED PARA 7 ANKARA 3746, MAY 15, 1974, AND ANKARA
6579, AUGUST 17, 1973, INVOLVED DANISH BOY WHO, AFTER PROLONGED
NEGOTIATIONS BY DANISH EMBASSY, WAS TRANSFERRED ON BASIS OF
DENMARK'S RATIFICATION OF COUNCIL OF EUROPE CONVENTION
ON THE INTERNATIONAL VALIDITY OF CRIMINAL JUDGMENTS,
ORIGINALLY SIGNED AT THE HAGUE ON MAY 28, 1970.

4. AS FOR SEVERITY ENFORCEMENT TURKISH DRUG LAWS ON
TURKISH AND FOREIGN NATIONALS, CONCLUSION ALACAKAPTAN'S
STUDY IS AS FOLLOWS:

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QUOTE THE IMPRESSION EXISTS, HOWEVER, BOTH ABROAD
AND AMONG FOREIGNERS IN TURKEY, THAT XENOPHOBIA BECOMES
INFLUENTIAL IN VERDICTS OF THE COURTS IN SUCH A MANNER THAT,
SEEMINGLY SIMPLER CASES OF POSSESSION OR SALE OF NARCOTIC
SUBSTANCES ARE TREATED AS GRAVER OFFENCES OF IMPORTING AND
EXPORTING THEREOF. I MUST SAY THAT THERE HAS NEVER BEEN
CONCLUSIVE EVIDENCE TO BEAR OUT SUCH A CLAIM. IT MAY BE
MISLEADING TO GENERALIZE CERTAIN INDIVIDUAL INCLINATIONS.
IN ANY CASE, NO SYSTEMATIC APPROACH AGAINST THE FOREIGN
OFFENDERS CAN BE TRACED. EVERY YEAR A NUMBER OF TURKISH
CITIZENS, AS WELL, ARE PUNISHED SEVERELY FOR SUCH
OFFENCES. END QUOTE.
SPAIN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 23 MAY 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974ANKARA04003
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740129-0370
From: ANKARA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740525/aaaaavey.tel
Line Count: 74
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 107093
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 28 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <28 MAY 2002 by boyleja>; APPROVED <03 MAR 2003 by GarlanWA>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HAYES AND ANTAKYA THREE CASES
TAGS: CASC, TU, (HAYES), (ANTAKYA)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005